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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/480,589

01/10/2000

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9D-EC-19348-Ruppelt-et-al

4505

7590 12/26/2006
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EXAMINER

VAN DOREN, BETH

ART UNIT

PAPER NUMBER

3623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

12/26/2006

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary.

Application No.

09/480,589

Applicant(s)

RUPPELT ET AL.

Examiner

Beth Van Doren

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-11,13-38,40-75 and 79-85 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.

- 6) ☒ Claim(s) 1,2,4-11,13-38,40-75 and 79-85 is/are rejected.

- 7) ☐ Claim(s) _____ is/are objected to.

- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/98/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The following is a non-final office action in response to communications received 10/06/2006. Claims 1, 19, 28, 46, 55, and 64 have been amended. Claims 1, 2, 4-11, 13-38, 40-75, and 79-85 are pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-11, 13-18, 28-38, 40-45, 73, and 79-85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Customer Support System (CircuitCity.com) in view of Suliman, Jr., et al. (U.S. 2001/0053980) and in further view of O'Connor et al. (U.S. 2001/0011225).

As per claim 1, Customer Support System discloses a method of enabling scheduling of a service call in a computing environment, the method comprising:

obtaining product information regarding a product from a user of the computing environment (See page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1, wherein product information is received from the user of the computer environment);

determining whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer (See page 1, sections 2-4, page 3, section 1, page 22,

over Customer Support System (CircuitCity.com) and O'Connor et al. (U.S. 2001/0011225).

Customer Support System (CircuitCity.com)

O'Connor et al. (U.S. 2001/0011225)

obtaining product information regarding a product from a user of the computing environment

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sections 1-4, wherein the user determines via a computing unit whether the product is serviced by a manufacturer or service provider);

providing to the user, from whom the product information is obtained, at least one available appointment within a calendar schedule for scheduling a service call with at least one service provider based on the product information and on said determination made (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is provided a service call based on the product information and the determination made concerning the manufacturer); and

providing a price estimate (See at least page 2, wherein a price estimate is offered to the user before the repair is actually scheduled).

However, Customer Support System does not expressly disclose determining by a first computing unit including a web browser, automatically providing the user an appointment without interaction between the user and any other human being and enabling the user to select one available appointment for at least one service provider from the calendar schedule. Further, Customer Support System does not expressly disclose automatically providing a service call price estimate without interaction between the user and any other human being that varies based on a regional location of the user.

Suliman, Jr., et al. discloses a system that obtains product information regarding a product from a user of the computing environment (See paragraph 0010-1, 0029, 0037, wherein product information, including warranty information), determining by a first computing unit including a web browser warranty, repair and service organization information (See paragraphs

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0014, 0027, 0048, 0063, 0076-7, wherein a computer including a web browser compiles and manipulates data concerning warranty and organizations for repair and service), and

automatically providing the user an appointment without interaction between the user and any other human being (See paragraphs 0014, 0027, 0048, 0063, 0076-7, wherein the user is automatically provided an appointment by the system, the information displayed on the screen).

Suliman, Jr., et al. further discloses displaying the at least one available appointment for scheduling the service call (See paragraphs 0014, 0027, 0048, 0063, 0076-7, wherein the user is automatically provided an appointment by the system, the information displayed on the screen).

However, Suliman, Jr., et al. does not expressly disclose that the available appointment is displayed within a calendar.

O'Connor discloses an Internet based system that enables the user to select one available appointment for at least one service provider from the calendar schedule (See figure 2 and paragraphs 0007, 0009, 0024, 0031-2).

Customer Support System teaches a web-enabled tool that allows a user via his computing device to locate a service provider or manufacturer with which to make an appointment. The user is provided an appointment after interacting with the service provider or manufacturer via the telephone. Suliman, Jr., et al. teaches a system by which a user registered his product and the system automatically communicates with service organizations via the World Wide Web to provide the user automatically with an appointment for repair or service. This system maintains product information, such as warranty terms. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the user an appointment using automated means such as the system of Suliman, Jr., et al. in order to increase

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the efficiency of scheduling an appointment by connecting consumers and service organizations over a network, thus allowing consumers to schedule repair and maintenance "at the touch of a button" and allowing the service organization (such as a repair shop) to more efficiently prepare reports. See paragraphs 0014 and 0076 of Suliman, Jr., et al.

Further, Customer Service Support and Suliman, Jr., et al. disclose scheduling an appointment with a service provider based on details of a product. Suliman, Jr., et al. discloses a web-based system that allows a user to register his product and then automatically communicates with service organizations via the World Wide Web to provide the user with an appointment for repair or service. O'Connor et al. discloses an Internet based calendaring system and calendar interface used to provide the user with an appointment. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to display the available appointment to the user in a calendar format in order to more efficiently allow a user to make an appointment with a business. See paragraphs 0007, 0009, 0018-9 of O'Connor et al.

Finally, Customer Service Support discloses providing price estimates before the full service is booked. It is old and well known that service providers post estimates of prices in a price schedule on their websites for service calls (See argument below). Examiner further takes official notice that it is old and well known that prices vary regionally, such as between different cities, different states, and different countries (for example, it is old and well known that the cost of living (and thus salaries and prices) vary across the United States). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the user with the price estimate automatically in order to increase customer satisfaction by connecting consumers and service organizations over a network, thus allowing consumers to schedule repair

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and maintenance "at the touch of a button" knowing full information ahead of time. See paragraphs 0014 and 0076 of Suliman, Jr., et al. Further, it would have been obvious to one of ordinary skill in the art at the time of the invention to vary this price estimate based on the location of the user in order to more accurately convey pricing information to a user based on old and well known variations in cost across the country (and/or world).

As per claim 2, Customer Support System discloses wherein the product information comprises a location of the product and at least one of a product type, a product manufacturer, and a product model number, and wherein the at least one available appointment is based on the location of the product (See page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1, wherein product information is received, such as product location and manufacturer, and the appointment is scheduled based on the location).

As per claim 4, Customer Support System discloses wherein the providing comprises selecting the at least one available appointment from a plurality of appointments, and wherein the plurality of appointments are associated with a plurality of service providers at a plurality of locations (See page 1, sections 2-4, page 3, page 12, page 22, sections 1-4, page 25, which discloses a plurality of locations at which the appointment can be made).

As per claim 5, Customer Support System discloses wherein the providing comprises determining in real-time the at least one available appointment (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is scheduled for the appointment in real-time).

As per claim 6, Customer Support System discloses wherein the providing comprises determining in real-time the at least one available appointment as unavailable in the event the at least one available appointment from a plurality of appointments

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another user has selected the at least one available appointment (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1).

As per claims 7-8, Customer Service Support discloses the user providing product information (See page 1, sections 2-5, pages 3-4, page 12, and page 22, sections 1-2, wherein the product information is provided). However, Customer Service Support does not expressly disclose and Suliman, Jr., et al. discloses providing suggested product information to the user for use by the user in providing product information, the information comprising at least one of a product type, a product manufacturer, and a product model number (See paragraphs 0055-7, wherein the registration information is pre-populated or selected from choices in drop down menus, the information including manufacturer and model).

Customer Support System teaches a web-enabled tool that allows a user enter product information via his computing device and to locate a service provider or manufacturer. Suliman, Jr., et al. teaches a system by which a user enters product information in a web-based program, the product information entered by using pre-populated form or by selecting from choices in drop down menus form. It would have been obvious to one of ordinary skill in the art at the time of the invention to suggest product information to the user in order to increase the accuracy of the data input into the system by forcing consumers to enter data in a predefined and structured manner. See paragraph 0055-6 of Suliman, Jr., et al.

As per claim 9, Customer Support System discloses providing to the user a suggested nature of a problem based on the product information (See page 17 and page 23, section 2, which discloses customer support).

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As per claim 10, Customer Support System teaches obtaining one of the at least one available appointment selected by the user (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1).

As per claim 11, Customer Support System discloses notifying the service provider of the one of the at least one available appointment selected by the user (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the service provider is scheduled and performs the service).

As per claim 13, Customer Support System discloses providing to the user at least one available appointment for scheduling a service call based on the product information (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1). However, Customer Support System does not expressly disclose the available appointment selected by the user being set as unavailable for other users.

Customer Support System discloses scheduling available technicians for appointments. It is well known in the art that a service provider is a limited resource and when a service provider is scheduled for an appointment, he/she is unavailable at that time for another appointment. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to make the service call appointment selected by the user unavailable to other users in order to more efficiently schedule technicians by ensuring that the technicians are not double booked.

As per claim 14, Customer Support System discloses a method further comprising validating warranty product information (See page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein the warranty is validated).

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As per claim 15, Customer Support System teaches a method further comprising obtaining a nature of a problem of the product, and providing do it yourself repair information based on the nature of the problem (See page 17, page 23, section 2, wherein a technical support line is disclosed).

As per claim 16, Customer Support System discloses wherein the obtaining the product information at the first computing unit from input of the product information by the user at a second computing unit coupled to the first computing unit via a communications network (See page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1).

As per claim 17, Customer Support System teaches wherein a communications network is used that is accessible by either the order taker or the customer as well as the technicians (See page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1).

As per claim 18, Customer Support System discloses wherein said service call is for repair of a home appliance (See page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1, which discusses a computer).

Claims 28-38 and 40-45 recite equivalent limitations to claims 1-11 and 13-18, respectively, and are therefore rejected using the same art and rationale relied upon above.

As per claim 73, Customer Support System teaches wherein said determining whether the product is serviced comprises determining whether the product is serviced by an authorized service provider if the product is not serviced by the manufacturer, the authorized service provider having agreed with the manufacturer to provide a service similar to that provided by the

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manufacturer (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein the service provider is an authorized service provider).

As per claim 79, Customer Support System teaches a priority to the service call if the product is out of warranty, wherein said providing a priority including providing the priority to the service call over a service call corresponding to a product that is under warranty (See page 1, section 4, wherein those with warranty's with manufacturers are first asked to contact the manufacturer. Those out of warranty may schedule directly).

As per claim 80, Customer Service System teaches the at least one available appointment includes at least two available appointments, providing a number of the at least two available appointments if the product is out of warranty, wherein said providing a number includes providing the at least two available appointments that are higher in number than a number of at least one available appointment corresponding to a product under warranty (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is provided an appointment).

As per claim 81, Customer Service Support discloses scheduling a service call for a user (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is provided an appointment). Suliman, Jr., et al. teaches a system with a first and second computing unit and automatically providing and scheduling an appointment to the user using stored product information and a repair link located on the networked site (See paragraphs 0014, 0076). Suliman, Jr., et al. further discloses a communication means via the networked system that allows parties, such as the consumer, manufacturer, and service organization, to send messages and communications amongst each

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other (See paragraphs 0011, 0029, 0039, 0076). However, Customer Service Support and Suliman, Jr., et al. do not expressly disclose the message of a reminder of an appointment that is provided before a time at which the appointment is scheduled.

O'Connor et al. discloses a reminder of an appointment that is provided before a time at which the appointment is scheduled (See paragraph 0035).

Providing reminders, such as taught by O'Connor et al., of appointments was well known in the service industry at the time of the invention. Since the system of Suliman, Jr., et al. is capable of communicating and messaging concerning a service and repair appointment, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide a reminder of the service appointment scheduled in Customer Support System in order to more efficiently make appointments with people in disparate locations.

As per claim 82, Customer Support System discloses providing to the user at least one available appointment for scheduling a service call (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is provided a service call based on the product information and the determination made concerning the manufacturer). However, Customer Support System does not expressly disclose selecting, via a graphical user interface, a portion of the calendar schedule for scheduling a service call.

Suliman, Jr., et al. teaches selecting, via a graphical user interface, a portion of the calendar schedule for scheduling a service call (See paragraphs 0014, 0027, 0048, 0063, 0076-7, wherein the user is automatically provided an appointment by the system, the information displayed on the screen).

Customer Support System teaches a web-enabled tool that allows a user via his computing device to locate a service provider or manufacturer with which to make an appointment. The user is provided an appointment after interacting with the service provider or manufacturer via the telephone. Suliman, Jr., et al. teaches a system by which a user registered his product and the system automatically communicates with service organizations via the World Wide Web to provide the user automatically with an appointment for repair or service. This system maintains product information, such as warranty terms. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the user an appointment using the graphical user interface of Suliman, Jr., et al. in order to increase the efficiency of scheduling an appointment by connecting consumers and service organizations over a network, thus allowing consumers to schedule repair and maintenance "at the touch of a button". See paragraphs 0014 and 0076.

As per claim 83, Customer Support System discloses that the product has encountered the problem (See page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1). However, neither Customer Support System nor does Suliman, Jr., et al. expressly disclose prioritizing, by the first computing unit, a problem associated with the product.

Both Customer Support System and Suliman, Jr., et al. teach using product information to make an appointment for service. It is old and well known in the art to prioritize problems, such as prioritizing emergencies and urgent calls and responding to them quicker than other service calls. It would have been obvious to one of ordinary skill in the art at the time of the invention to

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consider priority of a problem when scheduling an appointment in order to more efficiently meet the needs of the customers based on the contact terms as well as the seriousness of the problem.

As per claim 84, neither Customer Support System, O'Connor et al., nor does Suliman, Jr., et al. expressly discloses determining a procedure for fixing a problem associated with the product and displaying the procedure to the user, by the first computing unit.

Both Customer Support System and Suliman, Jr., et al. teach using product information to make an appointment for service. Suliman, Jr., et al. specifically discloses a website by which the user can register his/her product and receive information concerning that product. It is old and well known in the art that websites concerning products include "FAQs" and other informational pages that would include do-it-yourself information concerning the product. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the user a procedure for fixing a problem associated with the product and to display the procedure to the user in order to increase the efficiency of repairing a product by providing the user information via the website. See paragraphs 0014 and 0076 of Suliman, Jr., et al. that discuss the efficient use of the Internet in providing information and service.

As per claim 85, Customer Support System teaches determining whether a product is covered by a first warranty (See page 1, section 3-4, wherein it is determined if the product is covered by a manufacturer's warranty);

offering a second warranty upon determining that the product is not covered by the first warranty (See page 22, sections 2-3, page 24, wherein an extended warranty is offered through the seller).

the user a procedure for fixing a problem associated with

information via the website

of the user to provide information and service

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However, Customer Support System does not expressly disclose using a computing unit to perform the determining and offering.

Suliman, Jr., et al. discloses a system that obtains and manages product information regarding a product from a user of the computing environment (See paragraph 0010-1, 0029, 0037, wherein product information, including warranty information) and determining, by a computing unit, warranty information (See paragraphs 0014, 0027, 0048, 0063, 0076-7, wherein a computer compiles and manipulates data concerning warranties).

Customer Support System teaches a web-enabled tool that allows a user via his computing device to locate a service provider or manufacturer with which to make an appointment. The user is provided an appointment after interacting with the service provider or manufacturer via the telephone, the interaction including confirming warranty information. Suliman, Jr., et al. teaches a system by which a user registers a product and the system then maintains product information, such as warranty terms, via the computing unit. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a computing unit to perform the determining and offering of Customer Support Systems in order to increase the efficiency of system by making information available "at the touch of a button". See paragraphs 0014 and 0076.

4. Claims 19-23, 25-27, 46-72, 74, and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Customer Support System (CircuitCity.com) in view of Suliman, Jr., et al. (U.S. 2001/0053980).

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As per claim 19, Customer Support System teaches a method of enabling scheduling of a service call for repair of a home appliance in a computing environment, the method comprising:

obtaining product information regarding a product at a first computing unit from input of the product information by a user at a second computing unit coupled to the first computing unit via a communications network (See page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1, wherein product information is received from the user of the computer environment);

determining whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein the user determines via his/her web enabled computing unit whether the product is serviced by a manufacturer or service provider);

providing to the user that input the product information at the second computing unit at least one available appointment for scheduling a service call based on the product information and on said determination made (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is provided a service call based on the product information and the determination made concerning the manufacturer); and

providing a price estimate (See at least page 2, wherein a price estimate is offered to the user before the repair is actually scheduled).

However, Customer Support System does not expressly disclose determining by a second computing unit including a web browser or automatically providing the user an appointment without interaction between the user and any other human being, the automatically providing including a determination of whether to display the at least one available appointment. Further,

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Customer Support System does not expressly disclose automatically providing from the first computing unit to the user a price estimate for the service call (prior to scheduling the service call) without interaction between the user and any other human being. Further, Customer Support System does not expressly disclose that the price estimate varies on a regional location of the user.

Suliman, Jr., et al. discloses a system that obtains product information regarding a product from a user of the computing environment (See paragraph 0010-1, 0029, 0037, wherein product information, including warranty information), determining by a second computing unit including a web browser warranty, repair and service organization information (See paragraphs 0014, 0027, 0048, 0063, 0076-7, wherein a computer with a browser compiles and manipulates data concerning warranty and organizations for repair and service), and automatically providing the user an appointment without interaction between the user and any other human being, the automatically providing including a determination of whether to display the at least one available appointment (See paragraphs 0014, 0027, 0048, 0063, 0076-7, wherein the user is automatically provided an appointment by the system, the information displayed on the screen).

However, Suliman, Jr., et al. does not expressly disclose that the available appointment is displayed within a calendar.

Suliman, Jr., et al. discloses a web-based system that allows a user to register his product and then automatically communicates with service organizations via the World Wide Web to provide the user with an appointment for repair or service. Using calendar formats is a well-known way to convey date information to a user of a website. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to display the available

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appointment to the user in a calendar format in order to more efficiently communicate the date information in a more readable and comprehensible manner.

However, Suliman, Jr., et al. does not expressly disclose automatically providing from the first computing unit to the user a price estimate for the service call without interaction between the user and any other human being.

Customer Support System teaches a web-enabled tool that allows a user via his computing device to locate a service provider or manufacturer with which to make an appointment. The user is provided an appointment after interacting with the service provider or manufacturer via the telephone. Suliman, Jr., et al. teaches a system by which a user registered his product and the system automatically communicates with service organizations via the World Wide Web to provide the user automatically with an appointment for repair or service. This system maintains product information, such as warranty terms. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the user an appointment using automated means such as the system of Suliman, Jr., et al. in order to increase the efficiency of scheduling an appointment by connecting consumers and service organizations over a network, thus allowing consumers to schedule repair and maintenance "at the touch of a button" and allowing the service organization (such as a repair shop) to more efficiently prepare reports. See paragraphs 0014 and 0076 of Suliman, Jr., et al.

Further, Customer Service Support discloses providing price estimates before the full service is booked. It is old and well known that service providers post estimates of prices for service calls in a price schedule on their websites that may be viewed prior to scheduling service (See argument below). Examiner further takes official notice that it is old and well known that

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prices vary regionally, such as between different cities, different states, and different countries (for example, it is old and well known that the cost of living (and thus salaries and prices) vary across the United States). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the user with the price estimate automatically in order to increase customer satisfaction by connecting consumers and service organizations over a network, thus allowing consumers to schedule repair and maintenance "at the touch of a button" knowing full information. See paragraphs 0014 and 0076 of Suliman, Jr., et al. Further, it would have been obvious to one of ordinary skill in the art at the time of the invention to vary this price estimate based on the location of the user in order to more accurately convey pricing information to a user based on old and well known variations in cost across the country (and/or world).

As per claim 20, Customer Support System discloses wherein the product information comprises a location of the product and at least a product manufacturer, and wherein the at least one available appointment is based on the location of the product (See page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1, wherein product information is received, such as product location and manufacturer, and the appointment is scheduled based on the location).

As per claim 21, Customer Support System discloses wherein the providing comprises selecting the at least one available appointment from a plurality of appointments, and wherein the plurality of appointments are associated with a plurality of service providers at a plurality of locations (See page 1, sections 2-4, page 3, page 12, page 22, sections 1-4, page 25, which discloses a plurality of locations at which the appointment can be made).

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As per claim 22, Customer Support System discloses wherein the providing comprises determining in real-time the at least one available appointment (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is scheduled for the appointment in real-time).

As per claim 23, Customer Support System discloses wherein the providing comprises determining in real-time the at least one available appointment as unavailable in the event another user has selected the at least one available appointment (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1).

As per claim 25, Customer Support System teaches obtaining one of the at least one available appointment selected by the user (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1).

As per claim 26, Customer Support System discloses notifying the service provider of the one of the at least one available appointment selected by the user (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the service provider is scheduled and performs the service).

As per claim 27, Customer Support System discloses providing to the user at least one available appointment for scheduling a service call based on the product information (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1). However, neither Customer Support System nor Suliman, Jr., et al. expressly disclose the available appointment selected by the user-being set as unavailable for other users.

Customer Support System discloses scheduling available technicians for appointments. It is well known in the art that a service provider is a limited resource and when a service provider

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is scheduled for an appointment, he/she is unavailable at that time for another appointment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to make the service call appointment selected by the user unavailable to other users in order to more efficiently schedule technicians by ensuring that the technicians are not double booked.

Each of claim groups 46-54, 55-63, and 64-72 recite equivalent limitations to claims 19-27, respectively, and are therefore rejected using the same art and rationale relied upon above.

As per claims 74 and 75, Customer Support System teaches wherein said determining whether the product is serviced comprises determining whether the product is serviced by an authorized service provider if the product is not serviced by the manufacturer, the authorized service provider having agreed with the manufacturer to provide a service similar to that provided by the manufacturer (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein the service provider is an authorized service provider).

5. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Customer Support System (CircuitCity.com) in view of Suliman, Jr., et al. (U.S. 2001/0053980) and in further view of Somheil ("Bringing Good Things to Market").

As per claim 24, neither Customer Support System nor does Suliman, Jr., et al. expressly discloses obtaining a nature of a problem of the product and providing do-it-yourself repair information based on the nature of the problem.

Somheil discloses operating instructions and do-it-yourself home repair information being provided to the user via the Internet and a website interface (See page 2, section 1).

Both Customer Support System and Suliman, Jr., et al. teach using product information to make an appointment for service. Suliman, Jr., et al. specifically discloses a website by which the user can register his/her product and receive information concerning that product. Somheil also discloses on a website that provides product information to a user. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the user a procedure for fixing a problem associated with the product and to display the procedure to the user in order to increase the efficiency of repairing a product by providing the user information via the website. See paragraphs 0014 and 0076 of Suliman, Jr., et al. and page 2, section 1, of Somheil, which discuss the efficient use of the Internet in providing information and service.

Response to Arguments

6. Applicant's arguments with regards to the rejections based on Customer Support System (CircuitCity.com), Suliman, Jr., et al. (U.S. 2001/0053980), and O'Connor et al. (U.S. 2001/0011225) have been fully considered. In the remarks, Applicant argues that (1) none of Customer Support System, Suliman, Jr., et al., and O'Connor et al. teach or suggest providing a user with a price estimate for a service call prior to scheduling a service call, where the price estimate is provided without contact between the user and another human being, (2) none of Customer Support System, Suliman, Jr., et al., and O'Connor et al. teach or suggest providing a service call price estimate that varies based on a regional location of the user, and (3) the applicant challenge's examiner's official notice that posting estimates of prices in a price schedule on a website is well known.

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In response to argument (1), Examiner has fully considered this argument and it is persuasive. However, the art rejections have been reestablished above to more fully address this limitation. Examiner first notes that the fact that the price estimate for a service call is provided prior to scheduling a service call is not specifically recited in claim 1 (though it is recited in the other independent claims). Examiner notes above that Customer Support System provides price estimates, but not for a service call automatically prior to scheduling a service call without contact between the user and another human being. Examiner has taken official notice on this limitation, which is explained in more detail below.

In response to argument (2), Examiner notes that this is a new limitation added in the current communications and thus this limitation has been fully addressed above in the art rejections.

In response to argument (3), examiner provides the following documentary evidence: The Geek Squad (www.geeksquad.com), which is dated 05/28/1999. This website is a service provider that provides on-site service calls. See page 4, which discloses a schedule of prices posted on the website for estimates of charges to perform fixes on-site at the customer. See emergency on-site support, which gives a price of 198-396 (thus an estimate). Further, the Squad would get to a user's house, and determine that more or different services need to be performed, and thus the price may change (further supporting that the information displayed on page 4 is an estimate). Thus, examiner has provided evidence to support her assertion of official notice, and thus has maintained her rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (571) 272-6737.

The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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December 20, 2006

Beth Van Doren
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AU 3623